

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

Order Instituting Rulemaking to Continue
Implementation and Administration of
California Renewables Portfolio Standard
Program.

(U 39 E)

R. 06-05-027
(Filed May 25, 2006)

**PRE-WORKSHOP COMMENTS
OF PACIFIC GAS AND ELECTRIC COMPANY (U 39-E)
REGARDING IMPLEMENTATION OF S.B. 1036**

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May 9, 2008

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I. INTRODUCTION

As directed by Resolution E-4160, PG&E provides its response to the Energy Division's "*Request for Pre-Workshop Comments Regarding SB (Senate Bill) 1036 Implementation*" (*Request for Comments* or *Request*). SB 1036 establishes the maximum above-market price expenditure required of the investor-owned utilities (IOUs) to meet the renewables portfolio standard (RPS). The *Request for Comments* refers to this amount as the "Above-Market Fund (AMF)" and uses the market price referent (MPR) as a proxy for market price¹. Once the sum of an IOU's above-MPR procurement from contracts specified by SB 1036 (SB 1036 eligible contracts)² exceeds its AMF, the IOU cannot be required to procure above-market priced

¹ SB 1036 identifies the market price referent (MPR) as the proxy for market prices. *See* Public Utilities Code section 399.15(d): "The commission shall establish, for each electrical corporation, a limitation on the total costs expended above the market prices determined in subdivision (c) for the procurement of eligible renewable energy resources to achieve the annual procurement targets established under this article." All statutory references are to the Public Utilities Code.

² The above-market costs of a contract selected by an IOU "may be counted toward the cost limitation if all of the following conditions are satisfied: The contract has been approved by the commission and was selected pursuant to an RPS competitive solicitation, the contract has a minimum term of 10 years, the contracted project is a new or produced facility, the subject of the purchase is not a REC or an "indirect expense". (Section 399.15 subdiv. (d) (2).)

renewable energy.³ SB 1036 implementation rules for crediting above-MPR costs to the AMF will determine how quickly the utility obligation to procure above-market priced renewable power is extinguished. Regardless of those rules, however, “it is reasonable to assume that the limited amount of AMFs will be exhausted on only a handful of RPS projects within the next twelve months.”⁴

The goal of the workshop is to develop a “transparent methodology for efficiently and effectively using limited AMFs in a manner that maximizes benefit for ratepayers, stakeholders, and the RPS program.” To achieve this goal, SB 1036 rules must be clear, simple, and consistent with the statute. The Commission should resist any attempts to prolong the contract approval process. Such attempts will increase transaction costs, undermine the Legislature’s policy of limiting customer exposure to above-market RPS costs, and potentially hinder the development of additional renewable generation in California.

The SB 1036 rules should adhere to these basic principles –

(1) *The AMF and the above-MPR payments credited against the AMF should be discounted at a consistent rate to bring them to present value.* Because the “virtual” funds comprising the AMF do not earn a rate of return over time, discounting the stream of above-MPR payments at the rate of the Weighted Average Cost of Capital (WACC) before crediting it against the AMF is inappropriate because it would understate the magnitude of the above-MPR payment stream and could expose customers to more above-market costs than intended by the Legislature.

³ “If the cost limitation for an electrical corporation is insufficient to support the total costs expended above the market prices determined in subdivision (c) for the procurement of eligible renewable energy resources satisfying the conditions of paragraph (2), the commission shall allow the electrical corporation to limit its procurement to the quantity of eligible renewable energy resources that can be procured at or below the market prices established in subdivision (c).” Section 399.15(d) (3).

⁴ See, Request p.1.

(2) No additional RPS procurement categories should be excluded from drawing on the AMF. Adding exceptions to the statutory list of exclusions, such as limiting AMF eligibility to in-state resources, would unnecessarily discourage renewable resource suppliers and increase costs.

(3) All SB1036-eligible contracts approved by the CPUC should count against the AMF. Allocation of above-market costs towards the AMF on a “first come first served” forecast basis avoids the uncertainty that would exist if particular forms of RPS procurement were subject to additional criteria before their above-MPR costs were counted against the AMF.

(4) The determination of above-MPR costs to be credited against the AMF should be based on the terms of the executed contract. The Commission should rely on the terms of the approved PPA between the parties to calculate above-MPR costs. The relationship between payments under the PPA and above-MPR credits against the AMF must be preserved to avoid customer costs in excess of SB 1036 limits. The reasonableness benchmark should be the MPR associated with the solicitation, unless 18 or more months have passed since shortlisting, in which case the then-current MPR should be used.

(6) RPS contract approval should be streamlined, not further complicated, for contracts that pose a limited risk of above-market exposure.

These pre-workshop comments are presented in the order suggested by the *Request for Comments*. In Section A., PG&E restates and provides feedback on “Issues Raised in Comments on Draft Resolution E-4160”. Section B presents PG&E’s streamlined proposal for SB 1036 implementation and responds to the staff’s hypothetical problems. PG&E appreciates the opportunity afforded by the workshop process to fully discuss the key elements of SB 1036.

A. Issues Raised in Comments on Draft Resolution E-4160

1. Cost Limit Calculation

The first task is to calculate the AMF established by SB 1036. These funds consist of the utility's pro-rata share of Public Good Charge (PGC) funds on deposit in the Renewable Trust Fund in the state treasury as of January 1, 2008, plus the amounts that would have been collected through the PGC to promote new renewable energy development during the remaining years of PGC authorization. PG&E addresses the issues identified by the staff regarding the calculation of available funds.

- Should a discount rate be applied to the cost limit calculation?

The question is not whether a discount rate should be applied but what the appropriate discount rate should be, including a zero rate. The AMF is an accounting tool; it does not consist of real dollars and does not earn a return on investment, so it is not growing at the utility's weighted cost of capital, and should not be discounted at that rate. However, the AMF is made up of PGC funds that either have already been paid or would have been paid by customers over the course of the authorization. Consequently, it may reflect customer valuation of money over time. No provision was made in Resolution 4160-E to inflate the RPS funds that would have been collected from 2008 through 2011 that are now in the AMF virtual pot. If the Commission were to impute earnings to the AMF, then that rate of return should be taken into consideration when bringing the value of the AMF and the stream of payments to present value for the purpose of netting payments against the AMF.

- Absent SB 1036, would the PGC funds collected have been subject to discounting, etc.?

No. PG&E understands that absent SB 1036, the SEP funds would have remained in a non-interest bearing sub-account within the state treasury. The previously collected funds that

the CEC had available to meet future obligations would not have grown over time. However, the SEP would accumulate funds from the PCG over the duration of the authorization, and the CEC would have had to reserve the full and undiscounted nominal dollar amount for each SEP obligation in order to be able to meet all future obligations.

- Does PG&E propose a calculation different from the one proposed in Draft Resolution E-4160?

Yes. PG&E's proposed calculation is contained in the attached Calculator. The balance of AMFs available to meet future obligations does not vary over time, while the value of the obligations does vary with time. Thus, it may be inappropriate to apply a discount rate to future obligations other than the deflator needed to bring both payment streams to present value to net payments.

If the above-MPR payments are improperly discounted, some above-MPR costs could circumvent the SB 1036 cost limitations. For example, given a qualifying contract with projected above-MPR costs of \$4.8 million in nominal dollars, a corresponding \$4.8 million must be set aside or "reserved" in the AMF balance to meet this obligation. If the \$4.8 million were discounted, the resulting above-MPR allocation would be less than \$4.8 million reserved against the AMF, while the actual above market payments would be \$4.8 million over the course of the contract. Consequently, recording above-market costs in discounted terms could understate the amount of above-market expenditures that will be paid out over the contract terms.

2. Staff's Proposed AMFs Calculator

The staff's proposed AMF Calculator is a revised version of the model previously used for the SEP calculation. It differs from the CEC's model in two respects that appear to be unintentional; it inputs the final contract price by time of delivery (TOD) period instead of as a flat contract price, and it uses an incorrect reference in Cell F9 on tab "AMFs

CALCULATION.” The correct reference should point to Cell_F38 of tab “TOD ADJUSTED MPR,” rather than Cell D12 of “INPUT CONTRACT DATA.” These two errors have been corrected in the AMF Calculator attached to these Comments.

The *Request for Comments* asks whether a discount rate should be applied to the above-market draw of an RPS contract against the AMF, and if so, whether the utility’s authorized WACC is the appropriate rate. As previously mentioned, discounting obligations for above-MPR costs at a rate equal to the utilities’ weighted average cost of capital (WACC), as proposed by the AMF Calculator, would grossly understate the amount of 2008 dollars needed to fund future payouts. Consequently, the 2008 AMF would be overcommitted to future payouts. This over-commitment creates a false source of above-market price funding for RPS even though the legislature intended a cap on above-MPR costs. If any discounting is performed at all, it should be for the limited purpose of converting nominal dollars to real dollars, which would be accomplished by using the lower of the Gross Domestic Product deflator or the rate of change in the volume of the IOU’s retail sales forecasted from 2008 through 2011, instead of the WACC. The WACC should not be used to discount the stream of payments to be credited against the AMF because doing so would subject customers to more above-market price purchases than intended by the Legislature.

3. Bids Subject To Prolonged Negotiation Should Remain Eligible For AMF

An offer received through the RPS solicitation process should not be converted into a “bilateral contract” ineligible for AMF by the passage of time as there are many factors besides negotiation over terms that may be responsible for prolonged negotiations and delays in contract execution. For example, negotiations may be postponed while the bidder addresses competing business priorities that are totally unrelated to its RPS bid; to define the project in more detail, such as by procuring transmission or land use rights; or to await the outcome of legislation, such

as the extension of tax subsidies.

The terms of a bid offer may change substantially as the needs of parties evolve during negotiations, but this does not necessarily change the offer from a competitive bid into a bilateral offer to negotiate. PG&E suggests that for purposes of SB 1036 implementation, negotiated changes in the terms of a solicited bid do not convert it into a bilateral offer so long as the project meets the Commission's least cost best fit criteria.

4. Identifying the Appropriate MPR to Calculate the AMF Draw in Various Situations

- Prolonged negotiations – i.e., the contract is executed more than 18 months after the close of the solicitation.

The appropriate MPR for calculating the draw against the AMF is the MPR that reflects current market conditions at the time of contract execution. With the passage of time, the alternatives to a seller's bid will have changed from those available when the bid was received. Since the MPR is the benchmark by which the purchaser's decision to accept a solicited offer is generally measured, the MPR associated with the RPS solicitation (*e.g.*, 2008 MPR used for the 2008 RPS solicitation) will also become stale over time. PG&E suggests that 18 months is a reasonable period of time to use the MPR associated with an RPS solicitation. To evaluate the market-value of a contract executed 18 or more months after the bid was submitted, PG&E recommends the use of the then-current MPR.

- Previously approved PPA seeks price amendment.

The then-current MPR, which represents the alternative to the renegotiated price, should be used to determine the value of the above-market portion of the PPA.

- PPA's commercial on-line date is unrealistic due to transmission upgrade needs.

The draw on the AMF should be based upon the obligations of the parties under the CPUC-approved PPA. If the expected commercial online date in a PPA pending at the CPUC is

deemed to be unrealistic, a realistic online date should be adopted for the PPA and the AMF draw should be based upon an MPR consistent with the adopted online date.

5. Consideration of whether the following proposed AMF eligibility criteria promote the efficient use of limited AMFs: the contract price must be an all –in fixed price for bundled energy product; the RPS-eligible facility must be located in California; the project may not be eligible for other CPUC- approved funding programs.

As a preliminary matter, the *Request for Comments* would require a definition of the “efficient use of AMFs” in order to determine if certain types of SB 1036 eligible procurement should be allowed to count toward the AMF. This provides no standard for evaluating the Energy Division’s proposal that certain long-term contracts priced above the MPR submitted in the 2008 and subsequent RPS solicitations should not be eligible to count against the AMF. SB 1036 already specifies that the above-market cost of certain contracts will not count against the AMF cap. Those excluded are contracts originating outside of competitive RPS solicitations, contracts less than 10 years in duration, existing or re-powered projects in operation before January 1, 2005, and REC purchases. If the Commission identifies additional non-SB 1036 eligible transactions, its actions may be viewed as arbitrary and will simply discourage potential suppliers of eligible renewable generation from participating in the California market, leading to a likely increase the above-market cost of renewables to customers. Although the *Request for Comments* characterizes the disqualification of contracts from AMF draw as a way of “maximizing benefits to ratepayers”, the direct consequence of disqualification is an increase in ratepayer exposure to above-market prices.

To avoid this situation, PG&E makes two recommendations. First, AMF funding eligibility criteria should be limited to the factors in SB 1036. Second, all SB 1036-eligible RPS deliveries should be credited against the AMF. The following comments explain why the

additional exclusions for AMF eligibility suggested by Draft Resolution E-4160 and the *Request for Comments* should not be adopted.

- There is no rationale for requiring the contract price to be an “all-in fixed price for a bundled energy product,” since based upon local circumstances, PG&E may find it advantageous to purchase enhanced power products under a different pricing structure.
 - Restricting eligibility to facilities physically located in California discriminates against renewable energy facilities located out of state even though an individual generator may be fully qualified under the CEC and state law requirements for out of state eligibility. No reason is given for discriminating against this resource category. Out of state sellers priced above the MPR would have no opportunity at all for their above market costs to be covered by the AMFs allowance. This situation may benefit California sellers, but not necessarily California consumers, because it is possible for an out of state seller to cost less than the lowest-priced California seller. Finally, this rule appears to impose an impermissible burden on interstate commerce.
 - Whether the project’s eligibility for other CPUC-approved funding programs should impact the application of its above-market costs against the AMFs is a policy matter that should be determined on a case-by-case basis.
 - Certain elements of firming and shaping costs should be eligible for AMF treatment. Firming and shaping transactions may include two elements (1) transmission from busbar to CAISO delivery point and (2) shaping the intermittent energy into firm, scheduled energy. PG&E agrees that the transmission portion is ineligible by statute. However, there is no reason to exclude the portion of banking and shaping costs associated with managing variation in hourly energy deliveries from drawing on the AMF.
6. The financing of an RPS project should not be affected when its payment stream is credited against the AMF because AMFs are not awarded -- above market costs are simply debited from a “virtual fund”.

Throughout the *Request for Comments* there are allusions to the AMF as an actual monetary fund that is to be paid out to developers as compensation for their above-market costs of generation. This suggestion is wrong and must be corrected to avoid confusion at the SB 1036 workshop.

SB 1036 eliminated the award of SEPs to developers. All pre-existing funds collected through the PGC that potentially would have been paid to developers under the SEP program will be returned to customers under Resolution E-4160; all future PGC collections to support

new renewables development have been abolished by SB 1036. The value of these abolished PGC funds has been converted into the balance of a virtual fund dedicated to supporting new renewable energy development. Although the balance in the above-market fund or “AMF” is derived from historic PGC funding amounts, there is no actual fund, only an allowance for above-market RPS purchases.

Respondents are asked to discuss how a ‘true-up’ of awarded AMFs will affect the financing for an RPS project.⁵ This erroneously implies that financing entities rely on an award of AMFs. Other passages in the *Request for Comments* confuse the distinction between SEPs and the AMF. Parties are asked, “How should actual, versus the projected COD (commercial operation date), be used to determine the AMFs to be awarded to a project?”⁶ Also, it is suggested that the Commission would “revoke AMFs” if a project fails to come on line, as if AMF payments are being made.⁷

Under SB 1036, AMFs will not contribute the above-MPR portion of payments under an RPS contract as SEPs were designed to do. The entire purchase price of above-market priced renewable power is paid by the utility to the seller. The AMF is only a means for accounting for above-market payments, so the regulatory decision to apply above-MPR payments against the AMF has no effect on seller cash flow or financing. Above-MPR payments do not constitute an award of AMFs. Finally, since AMFs are not awarded by the Commission, they cannot be revoked.

⁵ See, *Request* p. 4, item 6.

⁶ See *Request* p.6, par. f. Rather than suggest that developers will *receive payments*, the Commission should ask which date should be used to determine the MPR, which in turn establishes the *above-market cost of the PPA*.

⁷ See, *Request* p. 6, par.g.

7. Evidentiary Hearings.

PG&E is not aware of any material factual disputes that may require an evidentiary hearing at this time. However, PG&E seeks flexibility to apprise the Commission and the parties of the need for evidentiary hearings at any time prior to submission.

8. Comments on Criteria for the Review of Various Renewable Energy Contracts.

The draft Resolution proposed that, in addition to meeting SB 1036 criteria and being found reasonable, RPS contracts should satisfy additional requirements before their above-MPR costs may count toward the AMF. PG&E disagrees with this notion and recommends that every SB 1036-eligible RPS contract that is found to be reasonable and approved for utility procurement should be eligible to count toward the AMF. As PG&E previously argued in response to the Draft Resolution, SB 1036 eligibility should not be the basis for creating different reasonableness review standards for competitively-solicited contracts versus bilateral contracts.

- **PG&E's Proposal for Reasonableness Criteria and Streamlined Review Process.**

While implementing the AMF amortization process for above-MPR priced contracts, the Commission should take this opportunity to streamline its review and approval of contracts represent such a low risk of overpayment by customers that they should be deemed to be reasonable per se. The Commission should adopt 110% of the MPR as the criterion for finding an RPS contract to be reasonable per se and delegate authority to the Energy Division to approve such a contract as a ministerial act. This would avoid the lengthy process for approval by Commission resolution, but only for contracts that meet the reasonableness standard.

The Commission has held that "Industry Division disposition (of advice letters) is appropriate where statutes or Commission orders have required the action proposed in the advice letter, or have authorized the action with sufficient specificity, that the Industry Division need only determine as a

technical matter whether the proposed action is within the scope of what has already been authorized by statutes or Commission orders.”⁸ Matters appropriate for disposition by the Energy Division include “a contract that conforms to a Commission order authorizing the contract, and that requests no deviation from the authorizing order.”⁹

Thus, PG&E proposes that the Commission adopt strict reasonableness standards and delegate authority to the Energy Division to approve contracts that meet those objective criteria. PG&E has recommended that in the case of bilateral contracts with terms of 10 years or more, a contract should be found to be *per se* reasonable if the price paid does not exceed 110% of the MPR. PG&E now suggests that the same reasonableness standard should be available for contracts that result from an RPS solicitation. That is, contracts resulting from any of the shortlisted bids priced at or below 110% of the MPR should be deemed to be reasonable *per se* and eligible for review under the Tier II advice letter process. The contract would become binding and allow commercial development to proceed upon approval by the Energy Division instead of undergoing the time-consuming process of approval by Commission resolution.¹⁰

- **Identification of low-risk contracts at Workshop.**

The SB 1036 workshop should allow parties to identify other forms of low-risk contracts for which streamlined approval would be appropriate, and for which explicit reasonableness criteria may be adopted. For example, because the nominal value of payments under a contract for deliveries from a 20 MW or smaller facility is expected to be relatively small, such a contract could present less risk to customers and may be entitled to a streamlined review process. .

⁸ D. 07-10-024, Appendix A, Rules. Section 7.6.1, Industry Disposition of Advice Letters.

⁹ D.07-10-024, Appendix B, Energy Industry Rules, Rule 7.1, Matters Appropriate to Tier 1 (effective pending disposition).

¹⁰ Citation to filed workshop statement, etc.

- The following chart applies PG&E's recommended contract review principles to the cases presented in the Request for Comments:

	Type of Contract	PG&E's proposed rule
1.	Contracts negotiated as part of a competitive solicitation	Presumed reasonable if shortlisted bid yields contract priced at or below 110% of MPR. MPR associated with the solicitation applies, unless execution occurs more than 18 months after shortlisting; in that case, current MPR applies. Use Tier II AL. If not presumed reasonable, use LCBF evaluation and Tier III AL
2.	Bilateral contracts	Presumed reasonable if priced at or below 115% of MPR at time of contract execution. (Under submission in R.06-02-012.) Use Tier II AL. If not presumed reasonable, use LCBF evaluation and Tier III AL.
3.	Short-term contracts	PG&E advocates presumption of reasonableness if price does not exceed the greater of 110% of MPR or MPR + \$20/mWh. Tier II AL. (Under submission in R.06-02-012.) If not presumed reasonable, use LCBF evaluation and Tier III AL.
4.	Long-term contracts	Same as either contract from solicitation or bilateral contract, above, depending on its origin.
5.	Contracts with prices greater than the MPR	Use MPR rule. Analyze for LCBF and use Tier III AL
6.	Contracts with prices below the MPR	Use MPR rule. Price per se reasonable. Tier II AL.
7.	Projects smaller than 20 MW	Use MPR rule. Simplified administrative review process to be discussed at workshop.
8.	Utility-scale projects (greater than 20 MW)	Same as items (1) and (2), above.
9.	New or repowered generation	Same as items (1) and (2), above.
10.	Existing generation	Same as items (1) and (2), above.
11. ???	Wholesale distributed generation	???
12.	Technologies that have not been commercially demonstrated	Case by case evaluation.

13.	Contracts that are eligible for AMFs	Same as items (1) and (2), above.
14.	Contracts that are ineligible for AMFs	Same as items (1) and (2), above.
15.	AMF need is \$1,000,000	Same as items (1) and (2), above.
16.	AMF need is \$70,000,000	Same as items (1) and (2), above.

B. Original Party Proposals.

Parties are requested to propose a methodology for calculating and administering AMFs.

The administration of SB 1036 funds should not be complicated. PG&E proposes the following methodology:

1. **Determine PPA eligibility.** If the PPA for delivered power meets SB 1036 eligibility requirements, (generally, results from a bid received in response to an RPS solicitation and is 10 or more years in duration, its above-MPR costs shall count against the AMF.
2. **Calculate amount of draw against the AMF.**
 - a. Identify any indirect costs and exclude them from the above-MPR payment.
 - b. Identify the applicable MPR – if the contract was executed within 18 months of the close of bidding, the MPR associated with the RPS solicitation will be used; if executed more than 18 months after close of bidding, the most recently adopted MPR at the time of execution will be used.
3. **Determine the above-MPR cost.** The difference between the levelized contract price and applicable MPR, in nominal dollars, times the forecast amount of deliveries under the PPA, constitutes the above-MPR cost.
4. **Apply the above-MPR cost against the AMF.** The AMF should be reduced by the above-MPR cost of each qualifying PPA when the PPA receives “Commission Approval”, as defined by the adopted standard RPS contract term.

PG&E’s simplified proposal adheres to the terms of SB 1036, recognizes that the decision to execute a PPA should be based on reasonably current market comparisons, and

generates a draw on the AMF consistent with the Commission's finding that a PPA is reasonable and its costs should be recovered in rates. The following responses to the hypothetical situations posed in the *Request for Comments* demonstrate that these principles yield consistent and reasonable results for contracting parties and utility customers.

- a. **A bid from the 2006 solicitation was executed in 2008. The power purchase agreement (PPA) price is higher than the offered price. Which MPR (2006 or 2008) should be used to calculate AMFs for the project?**

The 2008 MPR should be used because it will be used to value other renewable options and the PPA's value to the customer should be determined in light of alternatives available at the time of contract execution. As stated above, PG&E recommends a period of 18 months as the limit for using an MPR associated with a particular bid. If contract execution occurs 18 months or more after the bid was shortlisted, the changes in market conditions that have occurred during that interval have made the original MPR obsolete. In this case, the 2008 MPR should be used because more than 18 months have passed since the bid was shortlisted. The 2008 MPR should be used both as a reference for price reasonableness and for determining the above-market portion of the PPA.

- b. **An above-market PPA was executed in 2008 with a guaranteed delivery date of 2010. It is subsequently discovered that transmission upgrades will delay the project by 40 months. Should the evaluation be based upon the 2008 MRP with a 2010 online date?**

As a general principle, PG&E recommends that the CPUC evaluate the contract as written, because both buyers and sellers are bound by the contract terms. A potential exception could arise if the transmission delay was discovered while the PPA was under review at the Commission. Under these circumstances, the parties would amend the PPA to reflect the new guaranteed delivery date and PG&E would supplement the pending advice letter with the new

information. The Commission should use the MPR applicable to the revised agreement between the parties as the basis for AMF credits.

- c. **A project with final CPUC approval has renegotiated its price to reflect higher costs. Should the project be eligible for AMFs, and if so, which MPR should be used – the original MPR or the current MPR?**

The AMF-eligibility of a project should not be affected by the renegotiation of its price as long as the new price has been approved by the Commission. The increase in the project's above-market cost should count against the AMF because otherwise, utility customers would not be protected from increases in the above-market cost of renewable power. The then-current MPR, which represents the alternative to the renegotiated price, should be used to determine the value of the above-market portion of the PPA.

This hypothetical should be distinguished from the case in which changes in contract terms do not amount to a contract amendment; such changes should not affect the above-market costs of the contract.

- d. **A utility submits two PPAs priced above the MPR, one slightly higher, the other substantially higher. The AMF balance will not cover both projects. How should the AMF balance be allocated – Should the Commission determine if one project's costs are more reasonable than the others? What standards should determine the contract to be applied against the utility's AMF limit?**

Each PPA should be reviewed for Commission approval of the PPA on a stand-alone basis and the contract first submitted to the Commission should be booked against the AMF; if two contracts are submitted concurrently, then the contract with the earlier execution date should be booked against the AMF. PG&E does not recommend that staff undertake a reasonableness review of the two project costs because useful results probably would not be available in a timely manner.

The hypothetical appears to assume that contract viability depends on the allocation of AMFs. Once the AMF has been amortized, the utility is not obligated to procure renewable energy at above-market rates. But in the hypothetical, the utility has already executed PPAs for each of the projects; the Commission need only grant final approval (as defined by the adopted Standard Contract Term) for each PPA to become effective whether or not AMFs were allocated to the entire above-market cost of the PPA.

- e. **One utility has filed two PPAs, each of which has \$10 million in above-market costs. There is only \$10 million in the utility's AMF. The projects differ in terms of developmental stage, capacity cost, and transmission cost. What standards should the Commission use to allocate AMFs?**

The Commission should allocate the AMFs to the first PPA that was filed; if both PPAs were filed concurrently, then the AMFs should be allocated to the PPA with the earlier on-line date. The allocation should be based upon the contracts as filed with the Commission; so long as there is need for renewables procurement, and the PPA meets the least cost best fit standard, which is implicit in the fact that the underlying bid was short-listed in the RPS solicitation, the PPA should be credited against the AMF.

- f. **A project that was credited against the AMF came on-line after the guaranteed on-line date. If the actual on-line is used, (the MPR would be higher and) additional AMF would be available to another project. Should a PPA's AMF allocation be determined based on the MPR for the online date assumed at the time of execution or actual on-line date?**

It is not uncommon for deliveries to begin at a time other than the delivery due date that is forecasted by the PPA. If the delay in on-line date can be accommodated within the terms of the existing PPA and does not require renegotiation, then the MPR associated with the original on-line date should continue to be used. The presumably higher MPR in effect at the time of actual delivery should not be used to reduce the above-market cost of the contract. If the change

in on-line date resulted in a change in contract price, then the MPR associated with the actual on-line date should be used. This is consistent with PG&E's proposal to base the credit against the AMF upon the terms of the PPA on a consistent forecast basis. If the on-line date in the PPA is amended, then the MPR associated with the amended date would be used, and the AMF would be "trued up".

- g. **The AMF is credited by a PPA, but the underlying project fails to come online by the guaranteed operational date. When should the allocation be reversed and made available to another project?**

Changes in delivery date do not always mean the project will fail. So long as there is potential for delivery under the PPA, AMFs should not be reallocated to other projects.

Reallocation would be appropriate only when the obligation to purchase from the first seller is terminated. This will protect customers from the risk of paying above-market costs for two PPAs.

Respectfully Submitted,

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PG&E has made the following changes to Staff's AMF calculator:

TAB	Cell(s)	Changed to:
INSTRUCTIONS	B6	Enter Contract Price
	L6	INPUT CONTRACT DATA
	Line 7	Line deleted
INPUT CONTRACT DATA	C51:K70	Formulae for "contract price multiplied by TOD factors"
AMFs CALCULATION	B9	Text: Levelized TOD-Adjusted MPR (\$/MWh)
	F9	Formula:Point to 'TOD ADJUSTED MPR'!F38

INSTRUCTIONS PAGE

- Fill out all yellow highlight cells in the INPUT CONTRACT DATA tab	INPUT CONTRACT DATA
- When the contract term is entered, the tables below will automatically set up to accommodate a 10-, 15-, and 20-year contract.	CONTRACT TERM
- When Utility Service Territory is selected from the drop down menu, the WACC and the TOD factors will be filled in based on values in the TOD DEFINITIONS Tab	TOD DEFINITIONS
- Enter estimated annual sales by TOD period	ANNUAL SALES
- Enter Contract Price	INPUT CONTRACT DATA
- Annual Weighted Average MPR is calculated on TOD ADJUSTED MPR Tab (Based on estimated annual sales by TOD period and TOD Factors)	TOD ADJUSTED MPR
- AMFs (Above MPR Costs) calculated on AMFs CALCULATION Tab	AMC CALCULATION
- Enter data for prior contracts requesting Above-Market Funds in the SUMMARY tab. Enter total cost limitation of above-MPR costs based on limit established in Resolution E-4160. (Nominal dollars, no discounting) The Total 2008 NPV of Above-MPR Costs requested by IOU is calculated using the IOU WACC as a discount rate. The 2008 NPV total is subtracted from the limit established in Resolution E-4160 to calculate the remaining Above-Market Funds available.	SUMMARY

INPUT CONTRACT DATA SHEET

Please enter all necessary information on this sheet.

Facility Name **Windy Pass**

Solicitation/MPR Year	2007
Contract Start Year	2020
Contract Term	20
Capacity (MW)	50
Contract Price (\$/MWh)	82.0000
MPR for Contract Start Year (\$/MWh)	80.0000
WACC (Utility specific)	9.60%

Purchasing Utility **PG&E**

Information submitted to the California Public Utilities Commission is subject to public disclosure unless designated confidential pursuant to Pub. Util. Code Section 583, General Order (G.O.) 66-C

TOD FACTORS

PG&E	S Super-P (A1)	S Shdr (A2)	S Night (A3)	W Super-P (B1)	W Shdr (B2)	W Night (B3)	Sp Super-P (C1)	Sp Shdr (C2)	Sp Night (C3)
	2.04	0.92	0.70	1.20	1.05	0.84	1.03	0.86	0.66

[Modify TODs](#)

Estimated Annual Sales by TOD Period (kWh)

Contract Year	Start Year	S Super-P (A1)	S Shdr (A2)	S Night (A3)	W Super-P (B1)	W Shdr (B2)	W Night (B3)	Sp Super-P (C1)	Sp Shdr (C2)	Sp Night (C3)	Estimated Annual Sales
1	2020	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
2		2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
3		2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
4		2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
5		2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
6		2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
7		2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
8		2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
9		2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
10		2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
11		2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
12		2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
13		2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
14		2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
15		2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
16		2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
17		2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
18		2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
19		2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
20		2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000

INPUT CONTRACT DATA SHEET

Please enter all necessary information on this sheet.

Annual Final Contract Price by TOD Period (\$/MWh Nominal)

Contract Year	Start Year	S Super-P (A1)	S Shdr (A2)	S Night (A3)	W Super-P (B1)	W Shdr (B2)	W Night (B3)	Sp Super-P (C1)	Sp Shdr (C2)	Sp Night (C3)	Wtd. Avg. Contract Price
1	2020	167.0340	75.5220	57.4000	98.6460	86.0180	68.9620	84.4600	70.1100	53.7920	76.4240
2		167.0340	75.5220	57.4000	98.6460	86.0180	68.9620	84.4600	70.1100	53.7920	76.4240
3		167.0340	75.5220	57.4000	98.6460	86.0180	68.9620	84.4600	70.1100	53.7920	76.4240
4		167.0340	75.5220	57.4000	98.6460	86.0180	68.9620	84.4600	70.1100	53.7920	76.4240
5		167.0340	75.5220	57.4000	98.6460	86.0180	68.9620	84.4600	70.1100	53.7920	76.4240
6		167.0340	75.5220	57.4000	98.6460	86.0180	68.9620	84.4600	70.1100	53.7920	76.4240
7		167.0340	75.5220	57.4000	98.6460	86.0180	68.9620	84.4600	70.1100	53.7920	76.4240
8		167.0340	75.5220	57.4000	98.6460	86.0180	68.9620	84.4600	70.1100	53.7920	76.4240
9		167.0340	75.5220	57.4000	98.6460	86.0180	68.9620	84.4600	70.1100	53.7920	76.4240
10		167.0340	75.5220	57.4000	98.6460	86.0180	68.9620	84.4600	70.1100	53.7920	76.4240
11		167.0340	75.5220	57.4000	98.6460	86.0180	68.9620	84.4600	70.1100	53.7920	76.4240
12		167.0340	75.5220	57.4000	98.6460	86.0180	68.9620	84.4600	70.1100	53.7920	76.4240
13		167.0340	75.5220	57.4000	98.6460	86.0180	68.9620	84.4600	70.1100	53.7920	76.4240
14		167.0340	75.5220	57.4000	98.6460	86.0180	68.9620	84.4600	70.1100	53.7920	76.4240
15		167.0340	75.5220	57.4000	98.6460	86.0180	68.9620	84.4600	70.1100	53.7920	76.4240
16		167.0340	75.5220	57.4000	98.6460	86.0180	68.9620	84.4600	70.1100	53.7920	76.4240
17		167.0340	75.5220	57.4000	98.6460	86.0180	68.9620	84.4600	70.1100	53.7920	76.4240
18		167.0340	75.5220	57.4000	98.6460	86.0180	68.9620	84.4600	70.1100	53.7920	76.4240
19		167.0340	75.5220	57.4000	98.6460	86.0180	68.9620	84.4600	70.1100	53.7920	76.4240
20		167.0340	75.5220	57.4000	98.6460	86.0180	68.9620	84.4600	70.1100	53.7920	76.4240

RESULTS PAGE

INPUTS (Transferred from Inputs Sheet)

Facility Name	Windy Pass
Solicitation/MPR Year	2007
Contract Start Year	2020
Contract Term	20
Capacity (MW)	50
Contract Price (\$/MWh)	82.000
MPR for Contract Start Year (\$/MWh)	80.000
WACC (Utility specific)	9.60%
Purchasing Utility	PG&E

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RESULTS

Levelized Final Contract Price (\$/MWh) over the term of the contract	76.424 \$/MWh
Levelized above market costs (\$/MWh) over the term of the contract	1.864 \$/MWh
Total Amount of above market costs (\$) over the term of the contract	\$2,013,120
Levelized TOD-Adjusted MPR (\$/MWh) over the term of the contract	74.560 \$/MWh

All prices in 2020 dollars

Contract Year	Start Year	Estimated Annual Sales (kWh)
1	2020	54,000,000
2		54,000,000
3		54,000,000
4		54,000,000
5		54,000,000
6		54,000,000
7		54,000,000
8		54,000,000
9		54,000,000
10		54,000,000
11		54,000,000
12		54,000,000
13		54,000,000
14		54,000,000
15		54,000,000
16		54,000,000
17		54,000,000
18		54,000,000
19		54,000,000
20		54,000,000
TOTAL		1,080,000,000

ABOVE MPR FUNDS (AMFs) SUMMARY

Utility Name	PG&E
Total IOU AMC Funds	\$234,567,890
Prior AMC Allocations	\$54,248,838
Windy Pass	\$321,362
Total AMC Allocated	\$54,570,200
Balance:	\$179,997,690

\$ NPV 2008

AMC Awards	
	\$ NPV 2008
2007	
2008	11,000,000
2009	
2010	36,767,269
2011	2,344,068
2012	
2013	4,137,501
2014	
2015	
2016	
2017	
2018	
2019	
2020	321,362
TOTAL	\$ 54,570,200

Item #	Facility Name	Expected Start	Contract Term (Years)	Capacity MW	Energy GWh/Year	MPR (\$/MWH)		Contract Price (\$/MWh)	Estimated Above-MPR Costs \$/MWh	\$ NPV 2008	\$ NPV Start Year	Solicitation Year	Advice Letter
	Windy Pass	2020	20	50	54	80.000	74.560	76.424	1.864	\$321,362	\$965,431	2007	
1	Sunside	2013	15	2	4	8.721	8.832	23.000	1.234	\$4,137,501	\$6,543,210	2006	AL-3421
2	Hot Springs	2010	15	125	354	8.683	8.842	9.753	0.056	\$23,946,927	\$28,765,432	2006	AL-4321
3	Windy Hill	2011	10	67	220	7.918	7.644	6.066	0.089	\$2,344,068	\$3,086,043	2007	AL-5678
4	Sunnyworks	2008	20	5	8	8.620	10.027	18.900	1.123	\$11,000,000	\$11,000,000	2006	AL-1234
5	Sunnyworks II	2010	20	10	16	8.676	11.213	16.661	0.999	\$12,820,342	\$15,400,000	2007	AL-6654
6													
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24													
25													
26													
27													
28													
29													
30													
TOTAL				259	656					\$54,570,200			

ABOVE-MPR COSTS CALCULATION

Facility Name	Windy Pass	
Solicitation/MPR Year		2007
Contract Start Year		2020
Contract Term		20
Capacity (MW)		50
Contract Price (\$/MWh)		82.000
Levelized TOD-Adjusted MPR (\$/MWh)		74.560
WACC (Utility specific)		9.60%

		(A)	(B)	(C) (A) x (B)	(D) (A) x (Lev. Above Market Costs)
Contract Year	Start Year	Estimated Annual Sales (kWh)	Annual Weighted Average TOD Adj. Bid-Offer Price (\$/MWh)	Annual Final Bid- Offer Payments	Above Market Costs
1	2020	54,000,000	76.424	\$4,126,896	\$100,656
2		54,000,000	76.424	\$4,126,896	\$100,656
3		54,000,000	76.424	\$4,126,896	\$100,656
4		54,000,000	76.424	\$4,126,896	\$100,656
5		54,000,000	76.424	\$4,126,896	\$100,656
6		54,000,000	76.424	\$4,126,896	\$100,656
7		54,000,000	76.424	\$4,126,896	\$100,656
8		54,000,000	76.424	\$4,126,896	\$100,656
9		54,000,000	76.424	\$4,126,896	\$100,656
10		54,000,000	76.424	\$4,126,896	\$100,656
11		54,000,000	76.424	\$4,126,896	\$100,656
12		54,000,000	76.424	\$4,126,896	\$100,656
13		54,000,000	76.424	\$4,126,896	\$100,656
14		54,000,000	76.424	\$4,126,896	\$100,656
15		54,000,000	76.424	\$4,126,896	\$100,656
16		54,000,000	76.424	\$4,126,896	\$100,656
17		54,000,000	76.424	\$4,126,896	\$100,656
18		54,000,000	76.424	\$4,126,896	\$100,656
19		54,000,000	76.424	\$4,126,896	\$100,656
20		54,000,000	76.424	\$4,126,896	\$100,656
NPV (2020) over 20 years		\$517,935,165		\$39,582,677	\$965,431
Total Sum of Above Market Costs over Contract Term					\$2,013,120

Levelized Final Contract Price (\$/MWh) $[(NPV(C) / NPV(A)) * 100]$

Levelized over contract term	\$ 76.42
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Levelized Above Market Costs (\$/MWh)

Levelized above market costs over contract term	\$ 1.86
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Facility Name	Windy Pass
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Solicitation/MPR Year	2007
Contract Start Year	2020
Contract Term	20
Capacity (MW)	50
Contract Price (\$/MWh)	82.0000
MPR for Contract Start Year (\$/MWh)	80.0000
WACC (Utility specific)	9.60%

		(A)	(B)	(C) (A) x (B)
Contract Year	Start Year	Estimated Annual Sales (kWh)	Annual TOD Weighted MPR Price (\$/MWh)	Annual Final Bid- Offer Payments
1	2020	54,000,000	74.5600	\$40,262,400
2		54,000,000	74.5600	\$40,262,400
3		54,000,000	74.5600	\$40,262,400
4		54,000,000	74.5600	\$40,262,400
5		54,000,000	74.5600	\$40,262,400
6		54,000,000	74.5600	\$40,262,400
7		54,000,000	74.5600	\$40,262,400
8		54,000,000	74.5600	\$40,262,400
9		54,000,000	74.5600	\$40,262,400
10		54,000,000	74.5600	\$40,262,400
11		54,000,000	74.5600	\$40,262,400
12		54,000,000	74.5600	\$40,262,400
13		54,000,000	74.5600	\$40,262,400
14		54,000,000	74.5600	\$40,262,400
15		54,000,000	74.5600	\$40,262,400
16		54,000,000	74.5600	\$40,262,400
17		54,000,000	74.5600	\$40,262,400
18		54,000,000	74.5600	\$40,262,400
19		54,000,000	74.5600	\$40,262,400
20		54,000,000	74.5600	\$40,262,400
NPV (2020)		\$517,935,165		\$386,172,459

Levelized TOD-Adjusted MPR (\$/MWh) $[(NPV(C) / NPV(A)) * 100]$

Levelized over contract term	74.5600
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TOD ADJUSTED MPR

Estimated Annual Sales by TOD Period (kWh)										
TOD FACTOR	S Super-P (A1)	S Shdr (A2)	S Night (A3)	W Super-P (B1)	W Shdr (B2)	W Night (B3)	Sp Super-P (C1)	Sp Shdr (C2)	Sp Night (C3)	Total
Contract Year	2.04	0.92	0.70	1.20	1.05	0.84	1.03	0.86	0.66	
1	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
2	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
3	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
4	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
5	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
6	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
7	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
8	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
9	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
10	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
11	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
12	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
13	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
14	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
15	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
16	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
17	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
18	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
19	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000
20	2,000,000	3,000,000	4,000,000	5,000,000	6,000,000	7,000,000	8,000,000	9,000,000	10,000,000	54,000,000

TOD ADJUSTED MPR

Annual MPR Payments by TOD Period										
TOD FACTOR	S Super-P (A1)	S Shdr (A2)	S Night (A3)	W Super-P (B1)	W Shdr (B2)	W Night (B3)	Sp Super-P (C1)	Sp Shdr (C2)	Sp Night (C3)	Total
Contract Year	2.04	0.92	0.70	1.20	1.05	0.84	1.03	0.86	0.66	
1	\$3,259,200	\$2,210,400	\$2,240,000	\$4,812,000	\$5,035,200	\$4,709,600	\$6,592,000	\$6,156,000	\$5,248,000	\$40,262,400
2	\$3,259,200	\$2,210,400	\$2,240,000	\$4,812,000	\$5,035,200	\$4,709,600	\$6,592,000	\$6,156,000	\$5,248,000	\$40,262,400
3	\$3,259,200	\$2,210,400	\$2,240,000	\$4,812,000	\$5,035,200	\$4,709,600	\$6,592,000	\$6,156,000	\$5,248,000	\$40,262,400
4	\$3,259,200	\$2,210,400	\$2,240,000	\$4,812,000	\$5,035,200	\$4,709,600	\$6,592,000	\$6,156,000	\$5,248,000	\$40,262,400
5	\$3,259,200	\$2,210,400	\$2,240,000	\$4,812,000	\$5,035,200	\$4,709,600	\$6,592,000	\$6,156,000	\$5,248,000	\$40,262,400
6	\$3,259,200	\$2,210,400	\$2,240,000	\$4,812,000	\$5,035,200	\$4,709,600	\$6,592,000	\$6,156,000	\$5,248,000	\$40,262,400
7	\$3,259,200	\$2,210,400	\$2,240,000	\$4,812,000	\$5,035,200	\$4,709,600	\$6,592,000	\$6,156,000	\$5,248,000	\$40,262,400
8	\$3,259,200	\$2,210,400	\$2,240,000	\$4,812,000	\$5,035,200	\$4,709,600	\$6,592,000	\$6,156,000	\$5,248,000	\$40,262,400
9	\$3,259,200	\$2,210,400	\$2,240,000	\$4,812,000	\$5,035,200	\$4,709,600	\$6,592,000	\$6,156,000	\$5,248,000	\$40,262,400
10	\$3,259,200	\$2,210,400	\$2,240,000	\$4,812,000	\$5,035,200	\$4,709,600	\$6,592,000	\$6,156,000	\$5,248,000	\$40,262,400
11	\$3,259,200	\$2,210,400	\$2,240,000	\$4,812,000	\$5,035,200	\$4,709,600	\$6,592,000	\$6,156,000	\$5,248,000	\$40,262,400
12	\$3,259,200	\$2,210,400	\$2,240,000	\$4,812,000	\$5,035,200	\$4,709,600	\$6,592,000	\$6,156,000	\$5,248,000	\$40,262,400
13	\$3,259,200	\$2,210,400	\$2,240,000	\$4,812,000	\$5,035,200	\$4,709,600	\$6,592,000	\$6,156,000	\$5,248,000	\$40,262,400
14	\$3,259,200	\$2,210,400	\$2,240,000	\$4,812,000	\$5,035,200	\$4,709,600	\$6,592,000	\$6,156,000	\$5,248,000	\$40,262,400
15	\$3,259,200	\$2,210,400	\$2,240,000	\$4,812,000	\$5,035,200	\$4,709,600	\$6,592,000	\$6,156,000	\$5,248,000	\$40,262,400
16	\$3,259,200	\$2,210,400	\$2,240,000	\$4,812,000	\$5,035,200	\$4,709,600	\$6,592,000	\$6,156,000	\$5,248,000	\$40,262,400
17	\$3,259,200	\$2,210,400	\$2,240,000	\$4,812,000	\$5,035,200	\$4,709,600	\$6,592,000	\$6,156,000	\$5,248,000	\$40,262,400
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19	\$3,259,200	\$2,210,400	\$2,240,000	\$4,812,000	\$5,035,200	\$4,709,600	\$6,592,000	\$6,156,000	\$5,248,000	\$40,262,400
20	\$3,259,200	\$2,210,400	\$2,240,000	\$4,812,000	\$5,035,200	\$4,709,600	\$6,592,000	\$6,156,000	\$5,248,000	\$40,262,400

TOD DEFINITIONS

PG&E	S Super-P (A1)	S Shdr (A2)	S Night (A3)	W Super-P (B1)	W Shdr (B2)	W Night (B3)	Sp Super-P (C1)	Sp Shdr (C2)	Sp Night (C3)
SCE	S On-P	S Mid-P	S Off-P	W Mid-P	W Off-P	W S. Off-P			
SDG&E	S On-P	S Semi-P	S Off-P	W On-P	W Semi-P	W Off-P			

[Return to Input Sheet](#)

PG&E	2.037	0.921	0.7	1.203	1.049	0.841	1.03	0.855	0.656
SCE	3.28	1.28	0.67	1.02	0.82	0.65			
SDG&E	1.6411	1.04	0.8833	1.1916	1.079	0.7928			

PG&E	9.60%
SCE	10.60%
SDG&E	11.60%

UPDATE

CERTIFICATE OF SERVICE BY ELECTRONIC MAIL OR U.S. MAIL

I, the undersigned, state that I am a citizen of the United States and am employed in the City and County of San Francisco; that I am over the age of eighteen (18) years and not a party to the within cause; and that my business address is Pacific Gas and Electric Company, Law Department B30A, 77 Beale Street, San Francisco, CA 94105.

I am readily familiar with the business practice of Pacific Gas and Electric Company for collection and processing of correspondence for mailing with the United States Postal Service. In the ordinary course of business, correspondence is deposited with the United States Postal Service the same day it is submitted for mailing.

On the 9th day of May 2008, I served a true copy of:

**PRE-WORKSHOP COMMENTS OF
PACIFIC GAS AND ELECTRIC COMPANY (U 39-E)
REGARDING IMPLEMENTATION OF S.B. 1036**

[XX] By Electronic Mail – serving the enclosed via e-mail transmission to each of the parties listed on the official service list for R.06-05-027 and R.06-02-012 with an e-mail address.

[XX] By U.S. Mail – by placing the enclosed for collection and mailing, in the course of ordinary business practice, with other correspondence of Pacific Gas and Electric Company, enclosed in a sealed envelope, with postage fully prepaid, addressed to those parties listed on the official service list for R.06-05-027 and R.06-02-012 without an e-mail address.

I certify and declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this 9th day of May, 2008 at San Francisco, California.

/s/

KAREN PRICE

THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA SERVICE LIST

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[R0602012] Commissioner Assigned: Michael R. Peevey on February 24, 2006

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ALJ Assigned: Anne E. Simon on November 15, 2006; ALJ Assigned: Burton Mattson on May 26, 2006

CPUC DOCKET NO. R0602012/R0605027

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[R0602012] Commissioner Assigned: Michael R. Peevey on February 24, 2006

ALJ Assigned: Anne E. Simon on February 24, 2006; ALJ Assigned: Burton Mattson on November 15, 2006

[R0605027] Commissioner Assigned: Michael R. Peevey on May 26, 2006

ALJ Assigned: Anne E. Simon on November 15, 2006; ALJ Assigned: Burton Mattson on May 26, 2006

CPUC DOCKET NO. R0602012/R0605027

Total number of addressees: 433

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